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MAR 29 1993

March 29, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: PP Docket No. 93-21
Sports Migration Inquiry

Dear Ms. Searcy:

Transmitted on behalf of The Big East Conference and The Big East Football Conference are an original and nine copies of the their Comments in the above-referenced proceeding. We would appreciate your assistance in distributing a personal copy of these Comments to each Commissioner.

Thank you for your assistance in this matter.

Very truly yours,

[Handwritten signature]

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Implementation of Section 26 of the) PP Docket No. 93-21
Cable Television Consumer Protection)
and Competition Act of 1992)
)
Inquiry into Sports Programming)
Migration)
)

JOINT COMMENTS OF THE BIG EAST CONFERENCE
AND THE BIG EAST FOOTBALL CONFERENCE

The Big East Conference ("Big East") and the Big East Football Conference ("BEFC") submit these comments in response to the Commission's Notice of Inquiry ("Notice") in this proceeding. In their respective national and regional/local television packages, the Big East and BEFC have given priority to broadcast television. However, at the national and regional/local level, cable programmers provide an important supplement to the broadcast package and cover many events which broadcasters have never sought to televise.

Although the Notice states that the Commission intends to focus on professional sports and college football and basketball, it also solicits "data on other sports as appropriate." Notice at ¶¶5, 10. Further, it seeks information about cable carriage of sports "programming that otherwise would not have

been transmitted via video at all." and specifically questions

Big East teams, and the semi-finals and finals of the post-season Big East Conference tournament. Thus, Big East teams have 24 network "appearances" each season under the CBS agreement.

The second tier consists of 18 Big East regular season games carried on national cable television pursuant to an agreement between the Big East and ESPN. That agreement provides that ESPN may select 18 regular season Big East games (other than the seven already selected by CBS) and up to four non-conference games featuring Big East teams. Each member school is assured of at least two "appearances" pursuant to the ESPN agreement, and leading teams in the conference, as identified by ESPN, may appear as many as five times during the regular Big East season.

The CBS and ESPN agreements account for 25 of the 90 regular season Big East men's basketball games. The remaining 65 regular season games, two preliminary round Big East tournament games, and four quarter-final games are available for distribution through the Big East Television Network ("BETN"). BETN produces ten local television packages, one for each member school. Each package generally is made available to local broadcast stations in the respective member school's television market pursuant to negotiations between the member school and the broadcaster. Because these games are produced by BETN, the broadcaster incurs no production costs and generally receives the rights to two-thirds of the advertising slots available during

the game. The remaining advertising slots are sold by the Big East to offset production costs.

The BETN games generally are offered first to local broadcast stations and then to regional cable sports networks. Aside from revenue considerations, the Big East gives priority to broadcast carriage because the member schools are interested in receiving the broadest possible exposure in order to attract new students and increase enrollment. Broadcast carriage provides the broadest possible exposure, particularly in the major television markets like New York, Boston, Washington and Philadelphia, which are home to many Big East member schools. In areas where local broadcasters do not televise the BETN games, BETN seeks to distribute those games through regional or local cable. Finally, certain non-conference games also are available for distribution by member schools to broadcast stations and cable networks in their respective television markets.

The net result is that more Big East basketball games were carried on broadcast television during the current season than were broadcast five years ago. As set forth in Appendix A, during the 1987-1988 Big East season, 16 different broadcast stations televised a total of 119 conference games. During the current season, 15 broadcast stations televised 146 Big East games, including post-season Big East tournament games. Although the number and identity of the stations carrying Big East games has changed and the number of games has fluctuated over the past

five seasons, broadcast coverage of Big East games has increased as compared to the 1987-1988 season.

B. Other Big East Sports

Broadcast television coverage of Big East sports other than men's basketball has been minimal. With the exception of a University of Connecticut women's basketball game televised this season by CBS, no Big East sports events other than men's basketball have received network or other broadcast television coverage. However, regional or local cable sports networks have provided coverage of several Big East women's basketball games. In addition, ESPN provided national coverage of the University of Miami women's basketball game against the University of Maryland this season. Finally, regional or local cable sports networks have provided coverage of other Big East events, including the men's soccer and baseball championships. Thus, cable has provided a means to obtain television coverage of certain Big East sports events which broadcasters have not televised.

C. BEFC Football

Through the BEFC's membership in the College Football Association ("CFA"), BEFC teams are guaranteed to receive at least 12 percent of the total network "appearances" available pursuant to the CFA agreement with ABC and ESPN. In addition to the games televised pursuant to the CFA-ABC/ESPN agreement, the BEFC clears a "Game of the Week" in most television markets in

the Northeast and in south Florida. The BEFC's goal is to obtain broadcast television carriage of the Game of the Week in each of these markets. However, the BEFC has been unable to obtain broadcast coverage in certain markets, including Washington and Baltimore, because no BEFC member school is located there. In such markets, the BEFC has sought cable carriage to fill in gaps in its broadcast coverage. Because regional cable networks often extend across several broadcast television markets, it is sometimes difficult to obtain cable coverage because of commitments to broadcast stations in markets overlapped by the regional cable network. However, the BEFC usually enters agreements with regional cable networks where the network operator agrees to black-out areas in which the Game of the Week is being carried on broadcast television.

The BEFC gives priority to broadcast coverage of its Game of the Week in order to maximize its exposure in major television markets. This enables the BEFC member schools to reach the broadest possible audience in order to attract new students and build broad alumni support.

Conclusion

At the national and regional/local level, the Big East and BEFC have given priority to broadcast television coverage of men's basketball and football games. National and regional cable sports networks have added to, not reduced, existing broadcast coverage of those games. In addition, cable has provided

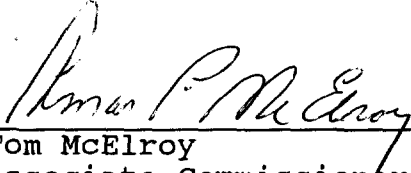
coverage of other Big East sports not previously televised by
broadcasters.

March 29, 1993

Respectfully submitted,

THE BIG EAST CONFERENCE
THE BIG EAST FOOTBALL CONFERENCE

By



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APPENDIX A

1987-88 BIG EAST MEN'S BASKETBALL
BROADCAST TELEVISION COVERAGE

<u>Television Market</u>	<u>Station (Affl)</u>	<u>Games Televised</u>
New York, NY	WWOR-9 (Ind)	6
Kingston, NY	WIZA-62 (Ind)	3
Philadelphia, PA	WGBS-57 (Ind)	11
Boston, MA	WLVI-56 (Ind)	7
Derry, NH	WNDS-50 (Ind)	5
Washington, DC	WTTG-5 (Fox)	10
Pittsburgh, PA	WTAE-4 (ABC)	9
Hartford-Waterbury, CT	WTXX-20 (Ind)	13
Buffalo, NY	WNYB-49 (Ind)	6
Providence, RI-New Bedford, MA	WPRI-12 (ABC)	10
Albany, NY	WXXA-23 (Fox)	7
Richmond, VA	WVRN-63 (Ind)	1
Syracuse, NY	WSYT-68 (Fox)	11
Rochester, NY	WHEC-10 (ABC)	8
Binghamton, NY	WICZ-40 (NBC)	8
Watertown, NY	WWNY-7 (CBS)	<u>4</u>
		119

1992-93 BIG EAST MEN'S BASKETBALL
BROADCAST TELEVISION COVERAGE

<u>Television Market</u>	<u>Station (Affl)</u>	<u>Games Televised</u>
New York	WWOR-9 (Ind)	8
Philadelphia	WGBS-57 (Ind)	16
Boston	WSBK-38 (Ind)	10
Washington	WTTG-5 (Fox)	8
Pittsburgh	WPXI-11 (NBC)	8
Hartford-New Haven	WTNH-8 (ABC)	15
Providence-New Bedford	WLNE-6 (CBS)	11
Miami	WBFS-33 (Ind)	12
Syracuse	WSYT-68 (Fox)	14
Binghamton	WBNG-12 (CBS)	4
Rochester	WROC-8 (CBS)	12
Elmira	WETM-18 (NBC)	7
Utica	WFXV-TV (Fox)	12
Watertown	WWTI-50 (ABC)	3
Plattsburgh	WWBI (Ind)	<u>6</u>
		146